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PRESS RELEASE

For Immediate Release

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The American Council of Chief Defenders Passes Resolution Protesting Unreasonably High Caseloads Facing Kentucky Public Defenders

WASHINGTON, July 28, 2008 — In a cry of outrage against Constitution-violating actions currently taking place in Kentucky, the American Council of Chief Defenders (ACCD), a section of the National Legal Aid & Defender Association (NLADA), unanimously passed a resolution supporting the measures taken by the state's Department of Public Advocacy to protect against dangerous budget cuts. The resolution emphasizes the ethical duty of public defenders to provide appropriate legal counsel to their clients and the importance of maintaining appropriate caseload limits to ensure the justice system remains fair for all people, regardless of their economic situation.

The ACCD strongly supports the actions taken by the Kentucky Department of Public Advocacy, including the Petition for Declaratory Judgment filed on behalf of their agencies, staffs, and clients which seek to force the state to turn back the budget cuts. The ACCD also stands by the Department's decision to withdraw from some cases. Allowing the Department to do so reduces the risk that Department attorneys will face excessive caseloads that result in subpar representation of clients - a violation of the Sixth and Fourteenth Amendments to the United States Constitution.

Fern Laethem, chair of the ACCD, said the actions taken by the Kentucky Department of Public Advocacy, while not wanted by any side in the argument, were necessary to assure the people of Kentucky that they will continue to receive fair and equal access to the state's court system.

“Without the Kentucky Department of Public Advocacy's brave stance, thousands of people across Kentucky would have their Constitutional rights voided on the weak pretense of budget and be left without a champion for their basic rights as citizens,” Laethem said. “Led by Public Advocate Ernie Lewis and Chief Public Defender Dan Goyette, this department, in the face of much undeserved scrutiny, is providing a voice for those who all too often find their rights sidelined. In putting down its foot for reasonable caseloads, this department is living up to the ideal of equality that our justice system promises to espouse.”

The resolution by the ACCD is available upon request or can be found on the NLADA Website at: http://www.nlada.org/Defender/Defender_ACCD/Defender_ACCD_Home

The National Legal Aid & Defender Association (NLADA), founded in 1911, is the oldest and largest national, nonprofit membership organization devoting all of its resources to advocating equal access to justice for all Americans. NLADA champions effective legal assistance for people who cannot afford counsel, serves as a collective voice for both civil legal services and public defense services throughout the nation and provides a wide range of services and benefits to its individual and organizational members.

The American Council of Chief Defenders (ACCD), a section of NLADA, is composed of the nation's chief public defenders and is dedicated to promoting fair justice systems by advocating sound public policies and ensuring quality legal representation to people who are facing a loss of liberty or accused of a crime and cannot afford an attorney.